

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District of Arizona on the following ☐ Patents or ☐ Trademarks:

DOCKET NO. CV 10-00041-PHX-ROS	DATE FILED 01/07/2010	U.S. DISTRICT COURT District of Arizona
PLAINTIFF Disc Co Technologies, Inc.		DEFENDANT Research Technology International Company
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 SEE ATTACHED		
2 6,991,524		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK <b>RICHARD H. WEARE</b>	(BY) DEPUTY CLERK s/Beth Stephenson	DATE 01/08/2010
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

Bradley P. Hartman (017263)  
**JENNINGS, STROUSS & SALMON, P.L.C.**  
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Attorneys for Plaintiff Disc Go  
Technologies, Inc.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Disc Go Technologies, Inc., a  
Canadian corporation,

Plaintiff,

vs.

Research Technology International  
Company, an Illinois corporation,

Defendant.

No. \_\_\_\_\_

**COMPLAINT**

**(Patent Infringement)**

Plaintiff Disc Go Technologies, Inc. alleges as follows:

**Parties**

1. Plaintiff Disc Go Technologies, Inc. ("Disc Go") is a corporation organized under the laws of Canada with an address of 101-19110 24th Avenue, Surrey, British Columbia, V3S 3S9.

2. Disc Go is engaged in the manufacture, distribution and sale of machines used to repair scratches in optical discs, such as CDs and DVDs.

3. Defendant Research Technology International Company ("RTI") is an Illinois corporation with its principal place of business at 4700 West Chase Avenue, Lincolnwood, Illinois 60712, transacting interstate business in Arizona and elsewhere.

1           4.     RTI is engaged in the importation, distribution and sale of machines  
2 used to repair scratches in optical discs, such as CDs and DVDs. The RTI machines  
3 include, *inter alia*, the ECO Auto Smart, ECO-Senior II, ECO-Master and ECO-  
4 Super.

5                           **Jurisdiction and Venue**

6           5.     This action arises under the patent laws of the United States, Title 35 of  
7 the United States Code.

8           6.     This Court has jurisdiction over the subject matter of this action  
9 pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10          7.     Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b),  
11 1391(c) and 1400(b).

12          8.     Jurisdiction is proper in the District of Arizona because Defendant has  
13 purposefully directed its goods, services and business activities towards residents of  
14 this State.

15                           **FIRST CLAIM FOR RELIEF**

16                           **Patent Infringement – ‘524 Patent**

17          9.     United States Letters Patent No. 6,991,524 (the “‘524 patent”) entitled  
18 “Method and Apparatus for Reconditioning Digital Discs” was duly and legally  
19 issued to Disc Go on January 31, 2006. A true copy of the Letters Patent is attached  
20 hereto as Exhibit A and made a part hereof.

21          10.    All legal right, title and interest in and to the ‘524 patent is owned by  
22 Disc Go.

23          11.    RTI has committed, and continues to commit, contributory  
24 infringement of the ‘524 patent, both literally and under the doctrine of equivalents,  
25 by offering to sell, selling or importing into the United States one or more  
26 apparatuses, including the ECO-Master, for use in practicing at least claim 1 of the  
27 ‘524 patent, both literally and under the doctrine of equivalents, knowing the  
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1 apparatus to be especially made for use in an infringement of the '524 patent and  
2 without a substantial non-infringing use.

3 12. Disc Go has complied in all respects with the statutory notice  
4 requirements of 35 U.S.C. § 287(a).

5 13. The acts of contributory patent infringement of the '524 patent by RTI  
6 have caused damage to Disc Go.

7 14. The acts of contributory patent infringement of the '524 patent by RTI  
8 have caused Disc Go irreparable harm, for which there is no adequate remedy at law.

9 15. The acts of contributory patent infringement of the '524 patent by RTI  
10 were willful and in deliberate disregard of the rights of Disc Go.

11 16. The acts of contributory patent infringement of the '524 patent by RTI  
12 will continue unless enjoined by this Court.

13 **SECOND CLAIM FOR RELIEF**

14 **Patent Infringement – '696 Patent**

15 17. United States Letters Patent No. 7,357,696 (the "'696 patent'") entitled  
16 "Method and Apparatus for Reconditioning Digital Discs" was duly and legally  
17 issued to Disc Go on April 15, 2008. A true copy of the Letters Patent is attached  
18 hereto as Exhibit B and made a part hereof.

19 18. All legal right, title and interest in and to the '696 patent is owned by  
20 Disc Go.

21 19. RTI has committed, and continues to commit, contributory  
22 infringement of the '696 patent, both literally and under the doctrine of equivalents,  
23 by offering to sell, selling or importing into the United States one or more  
24 apparatuses, including the ECO-Master, for use in practicing at least claim 1 of the  
25 '696 patent, both literally and under the doctrine of equivalents, knowing the  
26 apparatus to be especially made for use in an infringement of the '696 patent and  
27 without a substantial non-infringing use.

20. RTI has infringed and continues to infringe at least claim 10 of the '696 patent, both literally and under the doctrine of equivalents, by making, selling, using, importing and/or offering to sell one or more types of infringing disc repair machines without Disc Go's authority, including the ECO-Master

21. Disc Go has complied in all respects with the statutory notice requirements of 35 U.S.C. § 287(a).

22. The acts of patent infringement of the '696 patent by RTI have caused damage to Disc Go.

23. The acts of patent infringement of the '696 patent by RTI have caused Disc Go irreparable harm, for which there is no adequate remedy at law.

24. The acts of patent infringement of the '696 patent by RTI were willful and in deliberate disregard of the rights of Disc Go.

25. The acts of patent infringement of the '696 patent by RTI will continue unless enjoined by this Court.

**Jury Demand**

26. Disc Go hereby requests trial by jury of all issues raised that are triable by jury.

**Prayer for Relief**

WHEREFORE, Disc Go prays for judgment against RTI as follows:

- A. That RTI is a contributory infringer of the '524 patent;
- B. That RTI is a contributory infringer the '524 patent under the doctrine of equivalents;
- C. That RTI has literally infringed the '696 patent;
- D. That RTI has literally infringed the '696 patent under the doctrine of equivalents;
- E. That RTI is a contributory infringer of the '696 patent;
- F. That RTI is a contributory infringer the '696 patent under the doctrine

1 of equivalents;

2 G. That RTI, its officers, directors, employees, agents, licensees,  
3 successors, and assigns and all person acting in concert with it, be enjoined from  
4 further infringement of the '524 patent and the '696 patent;

5 H. That RTI be required to pay all damages sustained by Disc Go as a  
6 result of RTI's infringement of the '524 patent and the '696 patent;

7 I. That Disc Go be awarded his costs and prejudgment interest on all  
8 damages; and

9 J. That Disc Go be awarded such other and further relief as the Court  
10 deems just and proper.

11 Dated this 7th day of January, 2010.

12 JENNINGS, STROUSS & SALMON, PLC

13  
14 By: s/ Bradley P. Hartman  
15 Bradley P. Hartman  
16 201 E. Washington St., 11<sup>th</sup> Floor  
17 Phoenix, Arizona 85004-2385  
18 Attorneys for Plaintiff  
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**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CIVIL DOCKET FOR CASE #: 2:10-cv-00041-ROS**

Disc Go Technologies, Inc. v. Research Technology  
International Company  
Assigned to: Judge Roslyn O Silver  
Cause: 35:271 Patent Infringement

Date Filed: 01/07/2010  
Jury Demand: Plaintiff  
Nature of Suit: 830 Patent  
Jurisdiction: Federal Question

**Plaintiff**

**Disc Go Technologies, Inc.**  
*a Canadian corporation*

represented by **Bradley P Hartman**  
Jennings Strouss & Salmon PLC  
Collier Ctr  
201 E Washington  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Research Technology International  
Company**  
*an Illinois corporation*

Date Filed	#	Docket Text
01/07/2010	<u>1</u>	COMPLAINT. Filing fee received: \$ 350.00, receipt number 0970-3502394, filed by Disc Go Technologies, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Summons, # <u>3</u> Civil Cover Sheet)(Hartman, Bradley) (Entered: 01/07/2010)
01/07/2010	<u>2</u>	Corporate Disclosure Statement by Disc Go Technologies, Inc.. (Hartman, Bradley) (Entered: 01/07/2010)
01/07/2010	<u>3</u>	This case has been assigned to the Honorable Roslyn O. Silver. All future pleadings or documents should bear the correct case number: CV 10-00041-PHX-ROS. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 01/08/2010)
01/07/2010	<u>4</u>	Notice of availability of Magistrate Judge (BAS) (Entered: 01/08/2010)

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